

18.11.2020

Ct. No. 27

Item No.23

pk.

IN THE HIGH COURT AT CALCUTTA

(VIA VIDEO CONFERENCE)

WPA No. 8159 of 2020

Rama Baisya

-vs-

State of West Bengal & Ors.

Mr. Anirban Banerjee for the petitioner

Mr. Rajarshree Basu,
Mr. Kapil Guha for the State

The petitioner undertakes to affirm and stamp the petition as per rules within 48 hours of reservation of normal functioning of the court. The petition is taken up through Video Conference on the basis of such undertaking.

The petitioner is a retired employee of Cooch Behar Municipality, Cooch Behar. He retired on superannuation on 2nd December 2015. It is unfortunate enough that till date he has not received his gratuity. He made a representation before the Administrator, Cooch Behar Municipality on 29th August, 2020 praying for release of his gratuity. The said representation has not been considered by the respondent authority as yet. So is the instant writ petition.

Learned advocate for the State fairly submits that the instant writ petition may be disposed of by directing the respondent authority to consider the representation submitted by the petitioner on 29th August 2020 in accordance with law within a specific time frame and the authority may be directed to pass appropriate order.

In view of such submission, made by the learned advocate for the respondent, the instant writ petition is disposed of directing the respondent no. 4 to dispose of the representation of the petitioner dated 29th August 2020 within one month from the date. If the petitioner is found entitled to gratuity, the same may be released immediately on disposal of the representation.

The petitioner be communicated the final order by the Chairman, Cooch Behar Municipality immediately on disposal of the representation.

Learned advocate for the petitioner is represented to communicate the server copy of the order to the Chairman, Cooch Behar Municipality along with a forwarding letter issued by the learned Advocate-on – record immediately.

The writ petition is thus disposed of on contest, however, without cost.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Bibek Chaudhuri, J.)